

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

OCT 20 2017

David J. Bradley, Clerk of Court

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail envelope with tracking number
9410811899564657331626

Case No.

H17-1603

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Envelope measuring 10"L x 6"W x .25" H and bearing tracking number 941081189956465 is currently being held in the Postal Service Office of Inspector General office at 4600 Aldine Bender Road, Houston, TX 77315.

located in the Southern District of Texas, there is now concealed (identify the person or describe the property to be seized):

Counterfeit U.S. currency

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

18 USC 471

18 USC 472

21 USC 473

Offense Description

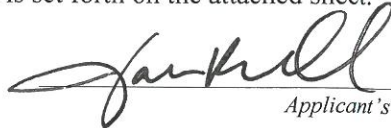
Obligations or securities of United States

Uttering counterfeit obligations or securities

Dealing in counterfeit obligations or securities of United States

The application is based on these facts:

The facts to support a finding of probable cause are contained in the attached affidavit and made a part hereof.

☒ Continued on the attached sheet.☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Jason Russell, U.S. Postal Service Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10-23-17

City and state: Houston, TX



Judge's signature

Stephen Wm. Smith, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Jason Russell, Special Agent, Houston, TX, being duly sworn, hereby deposes and states as follows:

1. Affiant is a Special Agent with the U.S. Postal Service (USPS) Office of Inspector General (OIG) and has been so employed since April, 2015. Prior to beginning employment with the OIG, Affiant was employed with the U.S. Postal Inspection Service in Lubbock and San Antonio, Texas as a Postal Inspector from August 2010, to April 2015, and completed twelve weeks of basic training. This training covered various aspects of federal law enforcement including the investigation of the illegal use of the mail narcotics-related offenses. I also completed a one week U.S. Postal Inspection Service Narcotics School, which dealt with controlled deliveries, search warrants, and undercover work. Additionally, Affiant completed a one week USPS-OIG Narcotics identification training school.
2. The Affiant is currently assigned to the Internal Mail Theft and Narcotics team with the OIG. This team investigates cases where postal employees engage in theft of mail and narcotic activity while employed with the USPS. Affiant's duties include the investigation of illegal mailings, including contraband such as controlled and drug proceeds, and possession of which violates Title 21, United States Code, Section 841 (a)(1), 843 (b) and 844. Affiant also investigates the mailing of other contraband, such as counterfeit U.S. currency, which violates Title 18, United States Code, Section 470, 471, 472, and 473. Affiant has participated in the interdiction of illegal drugs and counterfeit items shipped via the U.S. Mail, and has participated in the execution of numerous search warrants where illegal narcotics or proceeds from the illegal sell of narcotics were recovered from the packages shipped through the U.S. Mail.
3. This Affidavit is based upon Affiant's personal investigation and upon information received from other law enforcement officers and agents who are identified herein and may not be inclusive of all evidence or information available during the investigation. This affidavit is made in support of an application for a search warrant to search one Priority Mail envelope with tracking number 9410811899564657331626, (hereinafter referred to as "**subject envelope**"). The **subject envelope** shows a "Return Address" and "Delivery Address" information and are described as follows:

Return Address: Bektas Toprak
8408 Hydro Drive Apt 6
Whittier, CA 90606

Delivery Address: Jay Miller
5739 Firenza Dr

Scan Brown, IV
Shu B...
(713) 567-9617

Houston, TX 77035

Weight/Postage: Approx. 0 pounds, 4 oz./\$5.95

Size: Approx. 10" x 6" x 16" (Envelope)

Type: Priority Mail

4. Affiant is aware through training and experience, as well as information from other postal inspectors with extensive experience in criminal investigations, that the U. S. Mail is a common and preferred method for criminals, including counterfeiters, to ship their product. Use of the U. S. Mail is favored because of the speed, reliability, and low cost of this service, as well as the perceived minimal chance of detection of illegal drugs, money, or financial instruments shipped in such a manner.

5. The facts and information contained in this affidavit are based on my personal knowledge as well as that of the other agents involved in this investigation. All observations that were not made personally by this affiant were relayed to him by the persons who made the observations. This affidavit contains that information necessary to establish probable cause in support of an application for a search warrant. This affidavit is not intended to include each and every fact and matter observed by or made known to agents of the government.

6. Affiant is further aware that criminals often use fictitious return addresses, and fictitious names on return addresses, and they are known to use real names and real addresses, without the actual person's knowledge or consent, in order to avoid detection in the event the parcel is intercepted by law enforcement officers. Mail containing illegal contraband, including counterfeit merchandize and currency, often provide minimal information on the mailing label, in order to help avoid detection of a fictitious name or return address. Criminals normally use heavy tape on the seams and corners of a parcel or envelope, and have been known to use sealed containers, in an attempt to defeat any drug detection canine's ability to detect narcotics, or the ability for someone to view inside the envelope. It is also common for criminals to mail parcels or envelopes from a different post office than the one located in the Zip Code area used on the return address, in order to further avoid detection of fictitious information.

7. On October 10, 2017, the **subject envelope** was scheduled for delivery in Houston, Texas. At approximately 2:48 PM, while delivering mail, Chelsia Nichols, USPS letter carrier, was approached by a subject identified as Javon Miller, USPS letter carrier, driving a non-USPS vehicle described as a black Nissan Maximum. Miller told Nichols he was expecting a package (**subject envelope**) going to 5739 Firenza Dr,

Houston, TX 77035, which Miller does not reside. Miller advised Nichols that he (Miller) was “hustling” and that the package contained \$10,000 of U.S. currency. Nichols refused to give the **subject envelope** to Miller and returned back to the Post Office and gave the **subject envelope**, along with her statement, to her supervisor.

8. On October 16, 2017, the Affiant was made aware of the **subject envelope** and the incident.

9. On October 18, 2017, Affiant reviewed the **subject envelope**. Affiant observed the **subject envelope** and for the following reasons, and based upon his experience as a law enforcement officer, suspected the parcel could contain counterfeit U.S. currency. The **subject envelope** had a computer printer label from an online postage service. Affiant knows this type of service allows the sender anonymity by allowing a mailing to occur from any mail receptacle, including a location not associated with the mailer, thus allowing the mailing to occur without the mailer having to go in person to a USPS location. Further review determined the **subject envelope** was mailed from an address in Whittier, CA, with the zip code 90606. The packaging of the envelope consisted of a Priority envelope with heavy clear tape on the seams.

10. Affiant conducted computer database address verifications on the **subject envelope**. Affiant learned the Return Address listed on the **subject envelope** does exist. However, according to USPS records the **subject envelope** first entered the U.S. Mail stream in Huntington Beach, CA, which is approximately 30 miles from the city listed in the Return Address. Affiant knows from training and experience that it is also common for criminals to mail parcels from a different post office than the one located in the Zip Code area used on the return address, in order to further avoid detection of fictitious information.

11. Affiant also checked the database for records of the Delivery Address. The database revealed the Delivery Address does exist. However, the database did not associate a “Jay Miller” with the address. Furthermore, according to USPS personnel, the address is vacant. Affiant is aware through training and experience, as well as information from other postal OIG agents and postal inspectors with extensive experience in illegal mailings that criminals will often address packages in names other than theirs, mail to addresses that are not associated with the intended recipient, or will mail to addresses that are vacant with the intent to avoid detection.


12. On October 18, 2017, an interview was attempted with Miller. Miller advised the **subject envelope** contained \$10,000 dollars of “fake” or counterfeit money. Miller

said he ordered it online and provided the address listed on the parcel. Miller could not explain why he mailed it to an address he does not reside and to a vacant house. Miller said he chose the address because he had recently been temporarily assigned to deliver the route and it was the first address he thought of using for the mailing. After the interview and becoming aware of the OIG investigation into his conduct, Miller resigned from the USPS.

13. Based on the facts set forth in this Affidavit, your Affiant believes there is probable cause to indicate that the aforementioned **subject envelope** contains counterfeit U.S. currency. Affiant, therefore, seeks the issuance of a search warrant directing the search of the aforementioned **subject envelope** and the seizure of the aforementioned **subject envelope**, and the contents contained therein and any other property that relates to and constitutes evidence of the commission of a criminal offense in violation of Title 18, United States Code, Section 470, 471, 472, and 473. This parcel is presently located in the Office of Inspector General's Office at the Houston Processing and Distribution Center in Houston, TX.


Jason Russell
Special Agent

Subscribed and sworn to before me this 27 day of October 2017, at
Houston, Texas.


Stephen Wm. Smith
United States Magistrate Judge